

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

QUINCY WILLIAMS,

Plaintiff,

V.

DEREK OBERLANDER, *et al.*,

Defendants.

Case No. 1:22-cv-249

MEMORANDUM ORDER

The within *pro se* civil action was commenced on August 11, 2022 by Plaintiff Quincy Williams, a former inmate at the State Correctional Institution at Forest (“SCI-Forest”). Plaintiff’s complaint named as defendants six individuals employed by the Pennsylvania Department of Corrections at SCI-Forest whom Plaintiff claims violated his federal civil rights.

ECF No. 1. At this juncture, the remaining Defendants are Derek Oberlander, “Mr. Miller,” “Sgt. Hollis,” and “Officer Peterson.” The case has been referred to Chief United States Magistrate Judge Richard A. Lanzillo for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Civil Rule 72.

Following discovery, the remaining Defendants filed a motion for summary judgment on June 24, 2024. ECF No. 50. Plaintiff was directed to file a response by July 26, 2024, ECF No. 54, but did not do so. On August 9, 2024, Judge Lanzillo entered an order directing Plaintiff to respond to the motion by August 30, 2024, or to show cause for his delinquency. ECF No. 57. Plaintiff was specifically cautioned that his failure to respond to the show cause order might result in the case being dismissed for his failure to prosecute. *Id.* To this date, no response has been received from Plaintiff.

On October 29, 2024, Judge Lanzillo issued a report and recommendation (“R&R”) in which he opined that the case should be dismissed for Plaintiff’s failure to prosecute and the Defendants’ pending motion should be dismissed as moot. ECF No. 61. After considering the various factors laid out in *Poulis v. State Farm Fire & Casualty Company*, 747 F.2d 863 (3d Cir. 1984), Judge Lanzillo concluded that, on balance, the relevant factors weighed in favor of dismissal as a punitive sanction. The R&R was mailed to Plaintiff at his address of record that same day. *Id.*

Objections to the R&R were due on or before November 15, 2024. To date, no objections have been received.


Accordingly, after *de novo* review of the complaint and documents in the case, including the Defendants’ pending motion and the Chief Magistrate Judge’s Report and Recommendation,

IT IS ORDERED, this 22nd day of November, 2024, that the within civil action shall be, and hereby is, DISMISSED with prejudice based on Plaintiff’s failure to prosecute his claims.

IT IS FURTHER ORDERED that the Defendants’ motion for summary judgment, ECF No. 50, is DISMISSED as moot.

IT IS FURTHER ORDERED that the Report and Recommendation of the Chief United States Magistrate Judge issued on October 29, 2024, ECF No. [61], is adopted as the Opinion of this Court.

There being no other matters before the Court in the above-captioned case, the Clerk is directed to mark this civil action “Closed.”


SUSAN PARADISE BAXTER
United States District Judge